

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-102616-001 SE

04/16/2010

HON. SAM J. MYERS

CLERK OF THE COURT

J. Schuldt

Deputy

STATE OF ARIZONA

ALLISTER R ADEL

v.

CHRISTOPHER LEE SMITH (001)

DOB: 06/17/77

CHARLES K SHELL

APO-SENTENCE IMPRISON-SE

APPEALS-CCC

AZ DOC

CITS - SE SPANISH

DISPOSITION CLERK-CSC

VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

1:44 p.m.

State's Attorney:	Allister R. Adel
Defendant's Attorney:	Charles K. Shell
Defendant:	Present
Interpreter:	Tom Phan
Court Reporter:	Helene Paustian

Nuong Chung and Jason Chung make statements to the Court.

Defendant's father, mother, step-mother and aunt make statements to the Court on the defendant's behalf.

Count(s) 1, 2, 3, 4: The Defendant was found guilty after a trial by jury.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 SECOND DEGREE MURDER

Class 1 Felony

A.R.S. § 13-1101, 1104, 710, 702, 702.01, 801; 13-604(P); 28-3001, 3304, 3305, 3315

Date of Offense: 12/24/2007

Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

OFFENSE: Count 2 AGGRAVATED ASSAULT

Class 3 Felony

A.R.S. § 13-1203, 1204; 28-3304, 3001, 3004, 3005, 3315; 13-701, 702, 702.01, 801

Date of Offense: 12/24/2007

Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

OFFENSE: Count 3 AGGRAVATED ASSAULT

Class 3 Felony

A.R.S. § 13-1203, 1204; 28-3304, 3001, 3004, 3005, 3315; 13-701, 702, 702.01, 801

Date of Offense: 12/24/2007

Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

OFFENSE: Count 4 AGGRAVATED ASSAULT

Class 3 Felony

A.R.S. § 13-1203, 1204; 28-3304, 3001, 3004, 3005, 3315; 13-701, 702, 702.01, 801

Date of Offense: 12/24/2007

Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 16 year(s) from 04/16/2010

Presentence Incarceration Credit: 462 day(s)

Presumptive

Count 2: 7.5 year(s) from 04/16/2010

Presentence Incarceration Credit: -0- day(s)

Presumptive

Sentence in Count 2 is concurrent with Counts 3 and 4; consecutive to Count 1.

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Count 3: 7.5 year(s) from 04/16/2010
Presentence Incarceration Credit: -0- day(s)
Presumptive

Sentence in Count 3 is concurrent with Counts 2 and 4; consecutive to Count 1.

Count 4: 7.5 year(s) from 04/16/2010
Presentence Incarceration Credit: -0- day(s)
Presumptive

Sentence in Count 4 is concurrent with Counts 2 and 3; consecutive to Count 1.

Community Supervision: Count 1, 2, 3, 4 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR2008-102616-001.

2:58 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HON. SAM J. MYERS
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)